

**HENRIETTA TOWN BOARD  
AGENDA  
MARCH 4, 2009**

ORDER OF BUSINESS

1. Roll Call
2. Prayer
3. Pledge of Allegiance to the Flag
4. Public Presentation/Agenda Items
5. Approval of Minutes of the Preceding Meeting(s): February 18, 2009
6. Miscellaneous Communications
7. Public Hearing:
  - Proposed Establishment of Extension No. 203 (The Province) to Henrietta Sewer District No. 1
8. Introduction of and Action Upon Local Laws, Ordinances, Resolutions
9. Reports of Standing Committees and Actions Thereon
10. Reports of Special Committees
11. Public Comment
12. Adjournment

RESOLUTION #6-68/2009  
Authorize Accounts Payable

RESOLUTION #6-69/2009  
Authorize Supervisor to Sign Abandonment of Easement – 3817 West Henrietta Road

RESOLUTION #6-70/2009  
Authorize Proposed Establishment of Extension No. 203 (The Province) to Henrietta Sewer District No. 1

RESOLUTION #6-71/2009  
Authorize Purchase of State Contract Vehicle - Plow Truck - Highway

RESOLUTION #6-72/2009  
Authorize Advertisement for Bids – Creek Cutting

RESOLUTION #6-73/2009  
Authorize Advertisement for Bids – Cul-de-sac & Pump Station Mowing

RESOLUTION #6-74/2009  
Authorize Advertisement for Bids – Sewer Main Camera

RESOLUTION #6-75/2009

Recognize Year 2009 Youth Hall of Fame Inductees

RESOLUTION #6-76/2009

Award 4<sup>TH</sup> of July and New Year's Eve Fireworks Contract - Young Explosives

RESOLUTION #6-77/2009

Declare Neighborhood Revitalization Project – Stonewood Village

RESOLUTION #6-78/2009

Declare Items Surplus Materials

RESOLUTION #6-79/2009

Authorize Amendments to the 2009 Budget

RESOLUTION #6-80/2009

Authorize Personnel Items

PURSUANT TO CALL A REGULAR MEETING OF THE TOWN BOARD OF THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK, WAS DULY HELD AT THE HENRIETTA TOWN HALL, 475 CALKINS ROAD, HENRIETTA, NEW YORK ON THE 4<sup>th</sup> DAY OF MARCH, 2009 AT 8:00 P.M.

**PRESENT**

Supervisor Michael B. Yudelson  
Councilwoman Catherine A. McCabe  
Councilman William J. Mulligan, Jr.  
Councilwoman Janet B. Zinck  
Councilman John W. Moore  
Daniel J. Mastrella, Town Attorney  
Patricia J. Shaffer, Town Clerk

*(SILENT PRAYER)*

*(PLEDGE OF ALLEGIANCE TO THE FLAG)*

SUPERVISOR YUDELSON

Before the Public Hearing, is there anybody that would like to speak on any of the items that are on the Agenda tonight, the Regular Agenda, separate from the Public Hearing? *(Pause, no response)* If not, can I have the Approval of the Minutes?

COUNCILWOMAN McCABE

Mr. Supervisor, I move we Approve the Minutes of February 18, 2009.

COUNCILWOMAN ZINCK

Second.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

SUPERVISOR YUDELSON

We have one (1) Public Hearing tonight on the proposed Establishment of Extension No. 203, The Province, to Henrietta Sewer District No. 1. Is there anybody that would like to speak on this Public Hearing? *(Pause, no response)* If not, I'll close this Public Hearing, and may I have the first Resolution, please.

RESOLUTION #6-68/2009

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

BE IT RESOLVED, that the Director of Finance be authorized to pay the following bills payable:

EXHIBIT A	Bills Payable dated 3/4/2009	\$ 206,350.45
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SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #6-69/2009

On Motion of  
Councilman Moore

Seconded by  
Councilwoman McCabe

WHEREAS, the Property Owner, R.J. Dorschel Corporation, has an existing building at 3817 West Henrietta Road, and

WHEREAS, during review of the record utility drawings for this site, it was determined that part of the building occupies a portion of the existing Town's watermain easement, and

WHEREAS, a portion of the existing Town watermain easement recorded in Liber 8494 of Deeds, Page 271, on the property being identified as Tax Account No. 161.15-1-25.1, is no longer needed by the Town, and

WHEREAS, the Town Attorney and the Director of Engineering and Planning have reviewed the attached Abandonment of Easement and recommended that the Town of Henrietta consent to and execute said Abandonment.

THEREFORE, BE IT RESOLVED, that the Supervisor, on behalf of the Town of Henrietta, be hereby authorized to execute the attached Abandonment of Easement, which shall be filed in the Monroe County Clerk's Office.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #6-70/2009

On Motion of  
Councilwoman Zinck

Seconded by  
Councilman Mulligan

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IN THE MATTER OF THE PETITION FOR THE ESTABLISHMENT OF EXTENSION NO. 203 (THE PROVINCE) TO HENRIETTA SEWER DISTRICT NO. 1 LOCATED ON THE EAST SIDE OF JOHN STREET AND SOUTH OF JEFFERSON ROAD IN THE TOWN OF HENRIETTA, COUNTY OF MONROE, STATE OF NEW YORK.

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RESOLUTION OF THE TOWN BOARD OF THE TOWN OF HENRIETTA APPROVING THE ESTABLISHMENT OF EXTENSION NO. 203 (THE PROVINCE) TO HENRIETTA SEWER DISTRICT NO. 1

WHEREAS, a written Petition for the establishment of an extension to Henrietta Sewer District No. 1 in the Town of Henrietta, County of Monroe, State of New York, to be known as Extension No. 203 (The Province) of said Sewer District was duly presented to this Town Board, together with the necessary map and plan attached thereto, and

WHEREAS, pursuant to an Order a Public Hearing was held on the Petition, and the findings as specified on Exhibit A were made.

THEREFORE, BE IT RESOLVED, that the establishment of Extension No. 203 to the said Sewer District as proposed in the said Petition be approved; that the improvement therein mentioned be constructed and the service therein mentioned be provided for upon the required funds being made available or provided for; and that such extension shall be designated and known as Extension No. 203 to Henrietta Sewer District No. 1 and shall be bounded as described in attachments annexed hereto.

BE IT FURTHER RESOLVED, that the Town Clerk of this Town shall, within ten (10) days after the adoption of this Resolution, file Certified copies thereof in duplicate in the Office of the State Department of Audit and Control at Albany, New York.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
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Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
Carried		

RESOLUTION #6-71/2009

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

WHEREAS, the 2009 Highway Budget provides funds for the purchase of one (1) new ten (10) wheel plow/dump truck to replace truck #163, and

WHEREAS, a replacement truck, meeting specifications, is available through New York State Contract PC62374 from Beam Mack Sales and Service, Inc., at a total cost not to exceed \$163,249.18.

THEREFORE, BE IT RESOLVED, that Beam Mack Sales and Service, Inc., 2674 West Henrietta Road, Rochester, New York 14623, be hereby awarded the purchase of one (1) new 2010 Mack Granite GU813 ten (10) wheel dump truck with plow equipment, per specifications.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Mack Sales and Service, Inc., in an amount not to exceed \$163,249.18, upon delivery and receipt of all proper documentation and acceptance by the Superintendent of Highways.

BE IT FURTHER RESOLVED, the purchase will be financed.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
Carried		

RESOLUTION #6-72/2009

On Motion of  
Councilman Mulligan

Seconded by  
Councilman Moore

TB March 4, 2009

WHEREAS, the Town of Henrietta requires bids for creek cutting of the drainage channels, to conform with plans and specifications on file in the Town Clerk's Office, with bids to be opened at 9:30 A.M. on Thursday, March 26, 2009 and received no later than 9:15 A.M. on Thursday, March 26, 2009.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for creek cutting, as per cited plans and specifications on file, in the manner provided by Law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #6-73/2009

On Motion of  
Councilman Moore

Seconded by  
Councilwoman McCabe

WHEREAS, the Town of Henrietta requires bids for cul-de-sac and pump station mowing, to conform with plans and specifications on file in the Town Clerk's Office, with bids to be opened at 9:45 A.M. on Thursday, March 26, 2009 and received no later than 9:30 A.M. on Thursday, March 26, 2009.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for cul-de-sac and pump station mowing, as per cited plans and specifications on file, in the manner provided by Law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #6-74/2009

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

WHEREAS, the Town of Henrietta requires bids for a sewer main camera, to conform with plans and specifications on file in the Town Clerk's Office, with bids to be opened at 10:00 A.M. on Thursday, March 26, 2009 and received no later than 9:30 A.M. on Thursday, March 26, 2009.

THEREFORE, BE IT RESOLVED, that the Town Clerk be authorized to advertise for bids for a sewer main camera, as per cited plans and specifications on file, in the manner provided by Law.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	No
Councilman Moore	voting	No
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #6-75/2009

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

WHEREAS, the Henrietta Youth Board has selected twenty-six (26) exceptional young people to be inducted into the Year 2009 Youth Hall of Fame because of their special accomplishments, and

WHEREAS, these individuals have made significant contributions to the Henrietta community and/or have made a great personal achievement, and

WHEREAS, the Henrietta Town Board hereby recognizes the contributions and achievements of these young people.

THEREFORE, BE IT RESOLVED, that

Jay Amin  
Christopher Bethmann  
Bernadette Davis  
Cheyenne France  
Rebecca Glitch

Rori McMahon  
Emma Meli  
Phillip Moore  
Meghan Mueller  
Alyssa Pike

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Jezzika Hawkins	Ashley Proctor
Crystal Hercules	Ava Pruitt
Mark Hoffkins	Angelica Simmons
Sierra Flowers	Nicole Staie
Timothy Kuchman	Jessica Vay
Nicholas Line	Christopher Whelehan
Adam McArthur	Jasmine Wood
Nicole McCutcheon	Rachel Zoyhofski

are congratulated by the Town Board for their induction into the Year 2009 Youth Hall of Fame and will be recognized on March 26, 2009 at 6:30 P.M. during a dinner being held at the Doubletree Hotel, Henrietta, New York, for their positive influence on the quality of life in our community.

**SUPERVISOR YUDELSON**

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye
Carried		

**RESOLUTION #6-76/2009**

On Motion of  
Councilwoman Zinck

Seconded by  
Councilwoman McCabe

WHEREAS, Young Explosives, Inc., has submitted proposals for the Town's July 4<sup>TH</sup> Fireworks Display and the New Year's Eve Celebration, and

WHEREAS, Young Explosives has provided fireworks for the Town of Henrietta for many years, and

WHEREAS, the Town has been satisfied with their professional services in the past and the quality of their fireworks display.

THEREFORE, BE IT RESOLVED, that Young Explosives, Inc., 2165 New Michigan Road, Canandaigua, New York 14424, be hereby authorized to provide the Fireworks Display to be held at the Henrietta Veterans' Memorial Park on July 4, 2009 in an amount not to exceed \$16,500.00, and the New Year's Eve Celebration to be held at the Monroe County Fairgrounds on December 31, 2009 in an amount not to exceed \$4,000.00, for a total cost not to exceed \$20,500.00.

BE IT FURTHER RESOLVED, that Young Explosives, Inc. must submit a

TB March 4, 2009

Certificate of Insurance in the amount of \$2,000,000.00 to the Town Clerk's Office at least one (1) week prior to the scheduled events in a form acceptable to the Town Attorney.

BE IT FURTHER RESOLVED, that the Director of Finance be hereby authorized to pay Young Explosives, Inc. in an amount not to exceed \$16,500.00 for the 4<sup>TH</sup> of July Fireworks Display and \$4,000.00 for the New Year's Eve Celebration upon satisfactory completion of each show.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #6-77/2009

On Motion of  
Councilman Mulligan

Seconded by  
Councilwoman Zinck

WHEREAS, Housing Opportunities Housing Development Corporation (Owner) holds legal title to an affordable residential development known as Stonewood Village, which is located at 200 Myrtlewood Drive in the Town of Henrietta, and

WHEREAS, the Owner desires to undertake a major renovation of the development which includes energy improvements, new windows, new kitchens and baths, new flooring and other upgrades, plus the addition of community space for both the family units and the elderly/handicapped buildings, and

WHEREAS, it may be necessary to relocate eight (8) to twelve (12) families from the townhouse units for up to one (1) year, and

WHEREAS, the Rochester Public Housing Authority has adopted a policy to make available Section 8 vouchers for relocation purposes if the following guideline is met: The City of Rochester, County of Monroe or other Municipality in RHA's jurisdiction otherwise defined the Project as a Neighborhood Revitalization Project through official action of a governing board, and

WHEREAS, the Owner desires to access such Section 8 vouchers.

THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Henrietta does hereby declare the property at 200 Myrtlewood Drive a Neighborhood Revitalization Project.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye

Carried

RESOLUTION #6-78/2009

On Motion of  
Councilman Moore

Seconded by  
Councilman Mulligan

WHEREAS, the Assessor has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
3448	Panasonic Notebook

WHEREAS, the Safety Officer has requested that the following items be declared surplus materials:

<u>Inventory #</u>	<u>Description</u>
3571	Monitor
3577	Hewlett Packard Computer

WHEREAS, the Highway Department has requested that the following item be declared surplus material:

<u>Inventory #</u>	<u>Description</u>
4034	Waste Oil Collector

THEREFORE, BE IT RESOLVED, that the item described above from the Assessor's Office be declared surplus material and be sent to Maven Technologies, LLC, for disposal.

BE IT FURTHER RESOLVED, that the items described above from the Safety Officer and the Highway Department be declared surplus materials and be sent to the Parks and Facilities Department for disposal.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #6-79/2009

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

WHEREAS, the Town Board authorizes Budget amendments, and  
WHEREAS, the Highway Budget overstated revenues for 2009.

THEREFORE, BE IT RESOLVED, that the following 2009 Budget amendments  
be approved as follows:

<u>Description</u>	<u>Decrease Amount</u>	<u>Revise Amount</u>
DA 5031.0 (Interfund Transfer)	\$ 81,227.00	\$ 418,773.00

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelson	voting	Aye

Carried

RESOLUTION #6-80/2009

On Motion of  
Councilwoman McCabe

Seconded by  
Councilwoman Zinck

BE IT RESOLVED, that the following person be hired:

TB March 4, 2009

Michael J. Cahill

Engineering, Engineering Aide @ \$9.50/hr.,  
effective 3/2/2009.

SUPERVISOR YUDELSON

Discussion? Call the roll, please.

Duly put to a vote:

Councilwoman McCabe	voting	Aye
Councilman Mulligan	voting	Aye
Councilman Moore	voting	Aye
Councilwoman Zinck	voting	Aye
Supervisor Yudelton	voting	Aye
		Carried

SUPERVISOR YUDELSON

That's the end of the Regular Agenda, before we adjourn is there anybody that would like to speak on any item involving the Town of Henrietta? *(Pause, no response)* If not, is there a motion to adjourn?

The Regular Meeting of the Henrietta Town Board was moved for adjournment by Councilwoman McCabe, seconded by Councilman Mulligan at 8:20 P.M. and was adjourned without objection.

Respectfully submitted,

Leann C. Case  
Deputy Town Clerk